

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 300

HOUSE BILL 2702

AN ACT

ESTABLISHING AN ADVISORY COMMITTEE AND ESTABLISHING A PILOT PROJECT FOR
REGIONAL COOPERATIVES FOR LOW INCIDENCE PUPILS; PROVIDING FOR CONDITIONAL
ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Advisory committee; assistance in establishing the
3 pilot project for cooperative programs for low
4 incidence pupils; definition

5 A. The Arizona department of education shall establish an advisory
6 committee to assist in facilitating the establishment of the pilot project
7 for cooperative programs for certain groups of pupils with low incidence
8 disabilities. The advisory committee shall consist of at least parents of
9 low incidence pupils, teachers of low incidence pupils, school
10 administrators, business representatives, public members and experts in the
11 field of low incidence pupil programs. By December 1, 2003, the advisory
12 committee shall:

13 1. Study the following:

14 (a) The problems and solutions of establishing a cooperative pilot
15 project for low incidence pupils.

16 (b) The status of low incidence pupil programs in Arizona.

17 (c) Existing educational delivery systems in Arizona.

18 (d) The efficacy of combining educational delivery services in Arizona
19 that may allow counties, school districts, regions, the Arizona state schools
20 for the deaf and the blind and other entities to share resources to serve the
21 educational needs of low incidence pupils in Arizona.

22 (e) Current regional cooperative programs provided by the Arizona
23 state schools for the deaf and the blind.

24 (f) The most appropriate method of serving low incidence pupils
25 participating in the pilot program.

26 2. Define the low incidence pupil populations to participate in the
27 pilot project.

28 3. Select one rural area and one metropolitan area for the pilot
29 project. Upon selecting the two areas, the advisory committee shall study
30 the barriers of implementing a pilot project in those areas and develop
31 solutions and recommendations on the most appropriate method of serving the
32 low incidence pupils to participate in the pilot project.

33 4. Determine the most appropriate public entity to implement the
34 recommendations of the advisory committee for the pilot project.

35 5. Submit a report to the governor, the president of the senate, the
36 speaker of the house of representatives and the joint legislative budget
37 committee by December 31, 2003, and provide a copy of the report to the
38 secretary of state and the director of the Arizona state library, archives
39 and public records. The report shall provide the recommendations for
40 implementation of a pilot project for cooperative programs for low incidence
41 pupils. The joint legislative budget committee shall review the report and
42 may make changes to the recommendations. The recommendations of the joint
43 legislative budget committee shall be provided to the public entity chosen
44 to implement the pilot project:

1 B. The advisory committee may contract with professional experts to
2 assist in establishing the pilot project.

3 C. For the purposes of this section, "low incidence pupils" means
4 pupils in educational programs for autism, pupils with moderate mental
5 retardation, pupils with multiple disabilities, pupils with preschool severe
6 delay, pupils with severe mental retardation, pupils with emotional
7 disabilities enrolled in private special education programs or in school
8 district programs for children with severe disabilities or other physical or
9 emotional disabilities.

10 Sec. 2. Pilot project for regional cooperatives for low
11 incidence pupils; definition

12 A. A three-year pilot project for cooperative programs for low
13 incidence pupils is established. The pilot project shall be implemented
14 through the public entity determined in the recommendations of the advisory
15 committee for the pilot project for cooperative programs for low incidence
16 pupils as approved by the joint legislative budget committee. The public
17 entity shall sign agreements with participating school districts and the
18 Arizona state schools for the deaf and the blind to serve low incidence
19 pupils as defined by the advisory committee. The cooperative programs shall
20 begin to provide services to low incidence pupils by September 1, 2004.
21 Participants in the pilot project shall follow all state and federal laws
22 relating to special education.

23 B. The public entity chosen to implement the program shall submit an
24 annual report to the governor, the president of the senate, the speaker of
25 the house of representatives and the joint legislative budget committee by
26 December 31 and shall provide a copy of the report to the secretary of state
27 and the director of the Arizona state library, archives and public
28 records. The report shall include the following information:

29 1. The number and type of low incidence pupils participating in the
30 pilot project.

31 2. The average cost of serving low incidence pupils participating in
32 the pilot project.

33 3. Recommendations for improving the services of the pilot project.

34 4. Barriers to expanding the program throughout other school
35 districts, areas and this state.

36 C. For the purposes of this section, "low incidence pupils" means
37 pupils in educational programs for autism, pupils with moderate mental
38 retardation, pupils with multiple disabilities, pupils with preschool severe
39 delay, pupils with severe mental retardation, pupils with emotional
40 disabilities enrolled in private special education programs or in school
41 district programs for children with severe disabilities or other physical or
42 emotional disabilities.

43 Sec. 3. Conditional enactment

44 This act does not become effective unless the Arizona department of
45 education receives either federal or private monies by December 31, 2002, to

1 assist in funding the advisory committee to complete the duties of the
2 advisory committee.

3 Sec. 4. Conditional enactment

4 Section 2 of this act, relating to the pilot project for cooperative
5 programs for low incidence pupils, does not become effective unless the
6 advisory committee established pursuant to section 1 of this act recommends
7 implementation of the pilot project and the recommendation is reviewed by the
8 joint legislative budget committee.

9 Sec. 5. Delayed repeal

10 A. Section 1 of this act, relating to the advisory committee to assist
11 in establishing the pilot project for cooperative programs for low incidence
12 pupils, is repealed from and after June 30, 2004.

13 B. Section 2 of this act, relating to the pilot project for
14 cooperative programs for low incidence pupils, is repealed from and after
15 June 30, 2007.

APPROVED BY THE GOVERNOR MAY 22, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 23, 2002.

Passed the House April 10, 2002,

by the following vote: 40 Ayes,

15 Nays, 5 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate May 6, 2002

by the following vote: 24 Ayes,

3 Nays, 3 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

H.B. 2702

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 16, 2002,

by the following vote: 50 Ayes,

7 Nays, 3 Not Voting

[Signature]
Speaker of the House

Norman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of May, 2002

at 3:00 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 22nd day of

May, 2002,

at 4:44 o'clock P M.

[Signature]
Governor of Arizona

H.B. 2702

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of May, 2002

at 3:23 o'clock P M.

[Signature]
Secretary of State